

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



THE UNITED STATES OF AMERICA
ex rel. CHRISTINE PENDZIWIATR,

Plaintiffs,

v.

16-CV-6642(L)

RADNET, INC., and
RADNET MANAGEMENT, INC.,

Defendants.

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. §3730(b)(1), and in accordance with the terms and conditions of the Settlement Agreement among the United States, RadNet, Inc. and RadNet Management, Inc. and Relator Christine Pendziwiatr (the "Settlement Agreement"), the United States and Relator hereby stipulate, through their undersigned counsel, to the entry of an order (1) dismissing with prejudice all claims asserted on behalf of the United States against the defendants concerning the Covered Conduct as defined in the Settlement Agreement; (2) dismissing without prejudice to the United States and with prejudice to Relator as to all other claims.

Relator, on behalf of herself, her heirs, successors, attorneys, agents and assigns, stipulates that the Settlement amount set forth in the Settlement Agreement and the terms and conditions described therein are fair, adequate, and reasonable under all the circumstances that she will not challenge the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B), and that she

expressly waives the opportunity for a hearing on any objection to the settlement under 31 U.S.C. § 3730(c)(2)(B).


The United States and Relator respectfully request that the Court enter an Order in the form of the attached, proposed Order.

FOR THE UNITED STATES:

DATED: 10/10/19

James P. Kennedy, Jr.
United States Attorney

BY:



RICHARD RESNICK
Assistant United States Attorney
United States Attorney's Office
Western District of New York

FOR THE RELATOR:

DATED: _____

By: _____
Daniel C. Oliverio, Esq.
Reetuparna Dutta, Esq.
Counsel for Relator

expressly waives the opportunity for a hearing on any objection to the settlement under 31 U.S.C. § 3730(c)(2)(B).

The United States and Relator respectfully request that the Court enter an Order in the form of the attached, proposed Order.

FOR THE UNITED STATES:

DATED: _____

James P. Kennedy, Jr.
United States Attorney


BY: _____

RICHARD RESNICK
Assistant United States Attorney
United States Attorney's Office
Western District of New York

FOR THE RELATOR:

DATED: 10/11/19

By: _____


Daniel C. Oliverio, Esq.
Reetuparna Dutta, Esq.
Counsel for Relator